

CITY OF SAN JOSÉ, CALIFORNIA Department of Planning, Building and Code Enforcement 801 North First Street, Room 400 San José, California 95110-1795  <div style="text-align: center; font-size: 24pt; font-weight: bold;">STAFF REPORT</div>	Hearing Date/Agenda Number P.C. 06-11-03 Item: 4.c.	
	File Number PDC03-016	
	Application Type Planned Development Rezoning	
	Council District 3	
	Planning Area Central	SNI Area Delmas Park
	Assessor's Parcel Number(s) 264-40-058, -075, -117, -123	
PROJECT DESCRIPTION <div style="float: right;">Completed by: John Davidson</div>		
Location: Southeast corner of W. San Carlos Street and Bird Avenue.		
Gross Acreage: 0.8                      Net Acreage: 0.8                      Net Density: 154 DU/AC		
Existing Zoning: A(PD) Planned Development for 83 room, 5 story hotel      Existing Use: vacant lot		
Proposed Zoning: A(PD) Planned Development      Proposed Use: up to 123 multi-family dwelling units and up to 6,000 square-feet of retail space		
GENERAL PLAN <div style="float: right;">Completed by: JED</div>		
Land Use/Transportation Diagram Designation Residential Support for the Core (25+ DU/AC)		Project Conformance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> See Analysis and Recommendations
SURROUNDING LAND USES AND ZONING <div style="float: right;">Completed by: JED</div>		
North:	Car wash	CG General Commercial
East:	Vacant lot, commercial uses	LI Light Industrial
South:	Single Room Occupancy (SRO)	A(PD) Planned Development
West:	Commercial Uses	LI Light Industrial and CG General Commercial
ENVIRONMENTAL STATUS <div style="float: right;">Completed by: JED</div>		
<input checked="" type="checkbox"/> Environmental Impact Report certified on April 27, 1999 <input type="checkbox"/> Negative Declaration circulated on <input type="checkbox"/> Negative Declaration adopted on		<input type="checkbox"/> Exempt <input type="checkbox"/> Environmental Review Incomplete
FILE HISTORY <div style="float: right;">Completed by: JED</div>		
Annexation Title: Gardiner		Date: 3/16/1911
PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION		
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approval with Conditions <input type="checkbox"/> Denial	Date: _____	Approved by: _____ <input type="checkbox"/> Action <input type="checkbox"/> Recommendation
OWNER		DEVELOPER
Teacher's Academy Foundation 2011 Little Orchard Street San Jose, CA 95125		Core Development, Inc. attn: Martha Putnam 470 S. Market Street San Jose, CA 95113

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**PUBLIC AGENCY COMMENTS RECEIVED****Completed by: JED****Department of Public Works**

See attached memo

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**Other Departments and Agencies**

See attached memos from Fire Department and Environmental Services Department

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**GENERAL CORRESPONDENCE**

None received

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicant is proposing a Planned Development Rezoning to allow up to 123 multi-family units and up to 6,000 square-feet of ground-floor retail space on a 0.8 gross acre site at the southeast corner of W. San Carlos Street and Bird Avenue. The project is located within the Downtown Frame, a group of neighborhoods surrounding the Downtown Core. The project is intended to be developed as a 100% affordable housing project, with units marketed to teachers. The project is located in the Delmas Park Strong Neighborhoods Redevelopment Project Area, and would be subject to a 20% affordability requirement if the project were market rate.

The subject site is currently vacant and is surrounded by a car wash to the north across W. San Carlos Street, a vacant lot and commercial buildings to the east, the Pensione Esperanza SRO to the south, and commercial uses across Bird Avenue to the west.

The project consists of an eight-story building built at grade, with a five-level parking garage hidden within the core of the building. The unit mix includes 32 studio units, 43 one-bedroom units, and 48 two-bedroom units. The proposed retail space would extend along the northern elevation facing W. San Carlos Street, and wrap around the corner approximately a third of the way down the western elevation facing Bird Street. A total of 174 parking spaces are provided. The first level of the parking garage, containing 32 parking spaces, will be dedicated parking spaces for the retail uses and guests of residents and will be accessed from W. San Carlos Street. The upper levels of the parking garage will be dedicated to resident parking, and will be accessed by a driveway off of Columbia Avenue. The main pedestrian entrance of the project will be located at the corner of Bird and Columbia Avenue, with an open stair extending to all floors of the building. Approximately 30% of the units will have private open space provided in the form of a 60 square foot balcony. Common open space will be provided in the form of a large rooftop deck above the top level of the garage. The total quantity of common open space is in conformance with the Residential Design Guidelines requirement of 100 square feet of common open space per unit.

**ENVIRONMENTAL REVIEW**

This project is covered at a programmatic level by the Downtown Strategy Plan SEIR, approved by the City Council on April 27, 1999, which is EIR Resolution #68839. The project site is within the study area of the Downtown Strategy Plan SEIR, and is within the Downtown Frame (see attached Exhibits). Project specific impacts in relation to

noise and to traffic were analyzed in addition to the more general analysis done as a part of the Downtown Strategy EIR.

The City of San Jose Noise Element in the General Plan utilizes the Day-Night Level (DNL) 24-hour noise descriptor to define community noise impacts, and specifies that exterior noise exposures at residential areas not exceed 60 dB DNL when the noise source is transportation related. In addition, interior noise exposures are not to exceed 45 dB DNL. The Noise Element also states that residential development in close proximity to major thoroughfares, in the Downtown Core Area, along railroads and in the vicinity of San Jose International Airport have noise exposures that may not be able to meet the noise standards in the time frame of the General Plan. The noise report found the existing noise environment is due primarily to vehicular traffic W. San Carlos Street and Bird Avenue. The analysis found that exterior noise exposure levels at the site occur in the range of 64-75 dB DNL and that mitigation measures will be required to reduce sound to acceptable interior levels.

The project proposes thick sound-rated windows, noise attenuating building materials, and mechanical ventilation to provide the required 45 dB DNL interior living environment. By incorporating the mitigation measures suggested in the noise report, the project will be able to achieve the required interior noise levels of 45 dB DNL.

Regarding exterior noise, the noise report proposes no mitigation for the private open space areas on the exterior of the building, tacitly acknowledging that there is no feasible mitigation for exterior balconies in the downtown area. To fully mitigate exterior noise levels to 60 dB DNL, balconies would have to be fully enclosed. The proposed common open space is protected on three sides by the building mass, and will be able to meet the City's long-range exterior noise quality standard of 55 dBA without any additional mitigation.

The traffic report found that the project would not have a significant effect on any of the nine study intersections surrounding the project site, or on traffic flow on the two freeway segments that were analyzed.

## **GENERAL PLAN CONFORMANCE**

The General Plan Land Use Designation for the site is Residential Support for the Core (25+ DU/AC). The residential portion of the project is being proposed at a maximum project density of 154 DU/AC, consistent with the allowable General Plan Land Use designation.

The project is within the Downtown Frame area of the City, which is intended as an area of complementary uses, such as high-density infill housing, to the Downtown Core. The project is also consistent with several General Plan Major Strategies, such as Downtown Revitalization, Growth Management, Housing, and Sustainable City, in that the project makes efficient use of an existing urban infill site by providing high density housing near light rail transit, major transportation corridors and jobs.

The proposed ground-level space is also consistent with the Residential Support for the Core land use designation in that the designation allows for commercial development on the first two floors of new residential developments.

## **ANALYSIS**

The primary project issues are parking, traffic, the relationship of the project to other planning efforts for the Delmas Park area, and architectural design.

**Parking.** The project is located within the Downtown Frame area, which the Downtown Strategy Plan envisions as an area that complements the uses of the downtown core with uses like high-density housing. The project will

be located within 2,000 feet of the downtown core, the San Jose Diridon multi-modal hub, and two Vasona line light rail stations under construction.

As proposed, the project provides a total of 174 parking spaces. Parking is provided for the residential units at the following rates:

Unit Type	Number of Units	Parking spaces provided per unit	Standard required parking spaces per unit	Net reduction in parking spaces proposed
Studio	32	1.0	1.4	12.8
1-bedroom	43	1.0	1.5	21.5
2- bedroom	48	1.8	1.8	0

Table 1. Proposed parking rates for PDC03-016.

Retail parking is being provided at a rate of one parking space per 400 square-feet of floor area, which is the parking requirement for retail uses within the downtown core. The parking standards that are being applied do not include any proposed alternating use parking arrangement—retail and residential parking are separated and dedicated exclusively to their particular uses.

The proposed rates would result in a reduction in the project parking requirement of 34 spaces, or an approximately 16% reduction (208 vs. 174), than if the project were located in a more suburban, transit-poor environment. Parking reductions of the same magnitude (15-20%) have been approved in the past for projects in the nearby Midtown Specific Plan area near Diridon Station, as well as the Villages at Museum Park development two blocks to the east on San Carlos Street.

These reductions from the standard residential parking rates allow for a more urban project, and are reasonable given the project's location near Downtown, its proximity to transit, and its location along the W. San Carlos Street/Stevens Creek Boulevard Transit-Oriented Development Corridor.

In addition, the proposal is not anticipated to have an impact on parking in the surrounding Delmas Park neighborhood, as that neighborhood is in the process of organizing a permit parking program. This project will not be located within the boundaries of the Delmas Park permit parking area, and therefore the project's residents will not be able to use on-street parking within the Delmas Park permit parking area.

**Traffic.** The traffic report analyzed the impacts of the project on the level of service (LOS) at nine study intersections and two freeway segments. The traffic report found that the project conforms to the City's Level of Service Policy at all nine intersections and along the two freeway segments, and therefore no mitigation is required. The traffic impact analysis also indicated that the project would create a relatively small amount of cut-through traffic on Columbia Avenue. The amount of cut-through traffic generated during the AM peak hour, when people are leaving the project to commute to their jobs, is expected to be on the order of 20 cars in an hour, or about one car every three minutes. It is Staff's opinion that this amount of traffic would not constitute a significant impact on the neighborhood.

At the community meeting, neighborhood residents suggested moving the residential driveway off of Columbia Avenue to minimize project traffic moving through the neighborhood to access SR 87. Moving the locations of the project's residential driveway to another frontage was considered by staff and the applicant, but was deemed impractical because of site constraints and program requirements. If the residential driveway entrance were moved from Columbia Avenue to W. San Carlos Street, it would either be impossible to segregate retail and residential parking, or a significant number of ground-level parking spaces would be lost.

***Relationship to other Delmas Park Improvement plans.*** The Delmas Park Strong Neighborhoods Improvement Plan contains specific direction regarding setbacks, heights, and massing for infill projects within the Delmas Park neighborhood. The plan calls for the site to be a gateway to the Delmas Park neighborhood, and sets an eight-story height limit, which the project conforms to. The plan calls for 10-foot building setbacks along W. San Carlos Street, and 5-foot setback along other streets. The purpose of this Plan requirement was to create room for outdoor seating along W. San Carlos Street.

The project proposes 5-foot setbacks along all project frontages including W. San Carlos Street, and a 10-foot setback along the interior property line. The project is attempting to maximize the number of units and amount of parking available on site, and cannot provide a 10-foot setback along W. San Carlos Street without compromising the project. The 5-foot setback provided, in combination with the proposed 10-foot wide sidewalk should be adequate for a single row of tables and chairs in front of the retail spaces, and accomplishes the intent of the Guidelines' 10-foot setback requirement. The corner retail space has additional depth for outdoor seating underneath a shallow arcade created by the use of columns at ground level.

***Architectural Design.*** The SNI Improvement Plan guidelines also provide direction in the design of buildings, and call for both residential and retail uses to be well articulated, with significant detailing and relief, and for the spaces to read as individual pieces of a coordinated whole. It is staff's opinion that the project achieves these design objectives, by incorporating pop-outs, changes in plane, and the selective placement of individual balconies. Landscaping will soften the project's relatively stark eastern elevation, against which tall, new urban development is anticipated. The retail spaces feature large-pane windows that relate well to the street and transoms for additional natural light.

As the project design evolves and is further clarified at the Planned Development (PD) permit stage, staff will continue to work with the developer so that the project implements the intent of the Delmas Park SNI Improvement Plan Design Guidelines. The primary design issue that warrants further consideration at the PD permit stage is the main residential entrance at the corner of Bird and Columbia Avenues. Staff is concerned about the lack of visibility and prominence of this entrance to non-residents. Taken as a whole, this project should be a milestone in the revitalization of the Delmas Park neighborhood.

## **CONCLUSION**

The project proposes up to 123 units on 0.8 acres at a net density of 154 DU/AC. Staff is recommending approval of the project because it provides needed affordable family housing, along with street-enlivening ground-floor retail at the corner of W. San Carlos Street and Bird Avenue. The proposed project will be a gateway building to the Delmas Park area, as defined in the Delmas Park Strong Neighborhoods Improvement Plan. The project also provides an appropriate amount of parking for the number units, and hides parking from the street by placing it in the center of the building. The project also provides high-quality common open space to project residents in the form of a rooftop courtyard.

## **COMMUNITY OUTREACH**

A public hearing notice for the project was published in a local newspaper and mailed to all property owners and tenants within 1,000 feet of the subject site. A community meeting was held April 28, 2003. The primary topics of discussion were cut-through traffic from the neighborhoods, the institutional look of the original proposal, and the proposed locations of the driveway and pedestrian entrances. The architect has changed the elevations of the building to create a more distinctive, less institutional building.

Revised plans were shown to the Delmas Park Neighborhood Advisory Committee (NAC) on June 4, 2003. The NAC was generally supportive of the revised plans, but voiced concerns about security on the eastern (interior) side of the building, wanted a broader range of colors used to break up the building mass, and questioned how much the main pedestrian entrance would be used. These design-level details will be fleshed out as the project progresses through the Planned Development Permit stage.

### **RECOMMENDATION**

Planning staff recommends the Planning Commission forward a recommendation of **approval** and the City Council **approve** the project for the following reasons:

1. The residential portion of the project, at a density of 154 DU/AC, conforms to General Plan Land Use Designation of Residential Support for the Core (25+ DU/AC).
2. The proposed commercial portion of the project is consistent with the site's General Plan Land Use Designation of Residential Support for the Core in that the designation allows for ground-floor retail space as a part of residential proposals.
3. The proposed project is consistent with the goals of the Delmas Park Strong Neighborhoods Improvement Plan in that the project creates sensitive infill housing in a vacant site, provides retail space along W. San Carlos Street, and creates a gateway building into the Delmas Park neighborhood.
4. The proposed project provides high-density housing to support the Downtown Core.
5. The proposed project provides high-density housing in close proximity to transit.